

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF INDIANA
FORT WAYNE DIVISION**

JACQUELINE LINDSEY,)	
)	
Plaintiff,)	
)	CAUSE NO. 1:06-CV-413 AS
v.)	
)	
CONCORD BUYING GROUP,)	
)	
Defendant.)	

MEMORANDUM AND ORDER

Jacqueline Lindsey, a *pro se* plaintiff, submitted a petition for leave to proceed *in forma pauperis*. Her petition declares that her take home pay is \$250 a week, that she has two dependents, and that she has no significant assests. It appears that she is unable to pay the filing fee. Therefore, she will be granted leave to proceed *in forma pauperis*.

However, Ms. Lindsey's summons form and USM-285 form contain different addresses for the defendant. Because of this uncertainty, the U.S. Marshal Service cannot serve defendant at this time. Ms. Lindsey needs to return a completed summons and a USM-285 forms with the defendant's correct address, along with a motion for seeking service on defendant, to this Court by February 2, 2007. Failure to do so will result in a dismissal of the case without further notice.

For the foregoing reasons, the court:

- (1) **GRANTS** the *in forma pauperis* petition (docket # 2);
- (2) **DEFERS** the filing fee;

(3) **ORDERS** the Plaintiff to pay the \$350.00 filing fee from the proceeds of any recovery that she receives in this case;

(4) **DIRECTS** the clerk to send two blank summons and one USM-285 forms to the Plaintiff;

(5) **ORDERS** the Plaintiff to return the completed summons and USM-285 forms with defendant's correct address, along with a motion seeking service on defendant, to this Court by **February 2, 2007**; and

(6) **CAUTIONS** the Plaintiff that failure to do so will result in a dismissal of the case without further notice.

IT IS SO ORDERED.

ENTERED: January 3, 2007.

S/ ALLEN SHARP

ALLEN SHARP, JUDGE
UNITED STATES DISTRICT COURT